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FILED
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 BAY CITY

**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF MICHIGAN
 NORTHERN DIVISION**

Joseph J. Coyer and)	Case #: 10-14339-BC
Janet M. Coyer, H/W)	
Plaintiffs,)	Honorable Thomas L. Ludington
)	
v.)	
)	PLAINTIFFS REPLY TO
HSBC MORTGAGE SERVICES,)	OPPOSITION TO MOTION FOR LEAVE
Defendant)	
_____)	Dated: May 19, 2011

**PLAINTIFFS' REPLY TO HSBC'S OPPOSITION TO MOTION FOR
 LEAVE**

**Joseph J. Coyer and Janet M. Coyer are before this court by special appearance without
 waiving any rights remedies or defenses, statutory or procedural.**

COME NOW Plaintiffs Joseph J. Coyer and Janet M. Coyer and hereby file a
 reply to Defendant's opposition to Plaintiffs' *Motion for Leave to File a Sur-reply*.

(1) Plaintiffs filed the instant action to stop Defendant from fraudulently foreclosing
 on the mortgage because Defendant lacks standing and entitlement to do so.

(2) Plaintiff's *Motion for Leave to File a Sur-reply* should be granted because it
 contains new evidence and arguments which Plaintiffs were not aware of at the time they filed
 their response to Defendant's *Motion to Dismiss*.

(3) Quoting from one of the cases in Defendant's Exhibit A, "where new evidence
 comes to light subsequent to all papers being filed, and after oral argument has passed, a

1 sur-reply is appropriate.”¹

2 (4) The Plaintiffs are introducing evidence and arguments as soon as they discover
3 them. The arguments in the Sur-reply were not presented sooner simply because Plaintiffs were
4 not aware of these arguments sooner.

5 (5) Plaintiffs are excited to learn about the tremendous amount of fraud that HSBC
6 and its law firm are involved in. The more Plaintiffs investigate, the more fraud, concealment,
7 and misrepresentation by HSBC and the law firm is discovered.

8 (6) In the last two days, Plaintiffs discovered the followings:

9 Plaintiffs would like to introduce into evidence this 60 Minutes program from CBS
10 Television where HSBC is exposed as an entity which used robo-signers to provide fraudulent
11 documents to justify its foreclosure proceedings against homeowners:

12 <http://www.cbsnews.com/video/watch/?id=7361572n>

13 (7) In addition, Maria Vadney, which allegedly signed the *Assignment of Mortgage*
14 from MERS to HSBC (Exhibit 8) , is on the “robo-signers list” located at
15 <http://www.scribd.com/doc/47314711/Updated-Robo-Signers-List-12-2010>

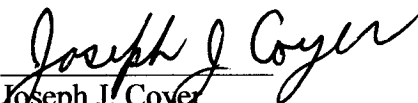
16 (8) Maria Vadney, or certain individuals pretending to be Maria Vadney, signed as an
17 officer of MERS and MANY LENDERS.

18 (9) Plaintiffs are confident that HSBC is involved in fraud and that certain HSBC
19 documents were prepared in a fraudulent manner.

20 **WHEREFORE**, Plaintiffs move the court to grant their motion for leave and to sanction
21 the law firm for its disregard for the truth, fraud, and attempt to cover-up material evidence and
22 arguments by attempting to exclude them from the record.

23
24 DATED: May 19, 2011

25
26 Respectfully submitted,

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29 Joseph J. Coyer
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33 Janet M. Coyer
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¹ CASE NO. 06-14907, 2009 U.S. Dist. LEXIS 47445.

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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF MICHIGAN**
5 **NORTHERN DIVISION**
6

7 **Joseph J. Coyer and**
8 **Janet M. Coyer, H/W**
9 **Plaintiffs,**

10
11 v.

12
13 **HSBC MORTGAGE SERVICES,**
14 **Defendant**
15 _____

) Case #: **10-14339-BC**

)
) Honorable Thomas L. Ludington
)
)

12 **ORDER**

16
17 **ORDER**
18 **GRANTING PLAINTIFFS MOTION FOR LEAVE TO RESPOND TO DEFENDANT'S**
19 **REPLY**
20

21 Having considered Plaintiffs' Motion for Leave, it is therefore:

22 ORDERED that Plaintiffs' Motion for Leave to respond to Defendant's Reply is hereby
23 GRANTED.

24 ORDERED that Plaintiffs have until _____, 2011 to file an Amended Complaint.

25 IT IS SO ORDERED.

26 DATED this ____ day of _____.

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28
29
30 _____
31 JUDGE
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33

1 **CERTIFICATE OF SERVICE**

2
3 The undersigned hereby certifies that a copy of the foregoing was sent to the following by
4 regular U.S. Mail, postage prepaid, on this 19th day of May, 2011:
5

6
7 Jennifer L. Newby, Esq.

8 Francis R. Ortiz, Esq.

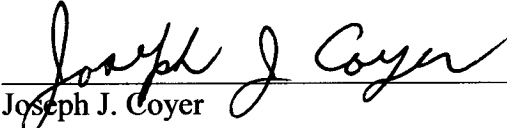
9 **DICKINSON WRIGHT PLLC**

10 500 Woodward Avenue

11 Suite 4000

12 Detroit, Michigan 48226

13 *Attorneys for HSBC Mortgage Services*
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17

18 
19 _____
20 Joseph J. Coyer
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